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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,340	07/14/2006	Shigeaki Tamura	050070-0112	2434
20277 7590 12/15/2009 MCDERMOTT WILL & EMERY LLP 600 13TH STREET, N.W. WASHINGTON, DC 20005-3096				
EXAMINER				
NWUGO, OJIAKO K				
ART UNIT		PAPER NUMBER		
2612				
MAIL DATE		DELIVERY MODE		
12/15/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

## Application No.

10/586,340

## Applicant(s)

TAMURA, SHIGEAKI

## Examiner

OJIAKO NWUGO

## Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-06)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

**Claims 1-9, 11-19** are pending.

### ***Response to Arguments***

Applicant's arguments with respect to **claims 1-9, 11-19** have been considered but are moot in view of the new ground(s) of rejection. Applicant's arguments are directed towards the claimed invention as amended.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. **Claims 1-3, 11, 19/1, 19/11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Obradovich US20040036601 in view of **Price US6985091**.

Regarding Claim 1, Obradovich discloses fig.1 and ¶¶40-43 a processor 103, a control unit that controls display 117 a visual information providing unit and interface 119 an aural information providing unit. In fig. 23 and ¶¶125-127 a processor that controls path negotiations i.e. automatic traveling for vehicle. Further disclosed in figs.19, 20 and ¶¶113-117 is a processor 103 that monitors engine parameters and issues alerts.

However Obradovich does not disclose the visual information providing unit comprises a display part and an analog meter to display various states of a

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vehicle. Price discloses in fig. 6 and col. 7 line 55-col. 8 line 67 a visual information providing unit comprises a display part and an analog meter. **Price does not explicitly decompose the display of fig. 6 into its subcomponents / units for the display part and analog meter. Further applicants disclosure does not provide criticality or rationale for the limitation of the display part is composed of one unit and the analog meter is composed of another unit different from the display part.**

It would have obvious for one of ordinary skilled in the art at the time of the invention to incorporate the display of Price into Obradovich for displaying engine parameters as taught by Price to provide user awareness of the engine parameters and context/detail for the alerts. **Further it would have been obvious for one of ordinary skill in the art at the time of the invention to arrange the display part and analog meter in a suitable manner as detected by design requirements.**

Regarding **Claim 2** (depends from **Claim 1**) Obradovich discloses in paragraph 45 navigation system 205 verbally/aurally and visually directing user to the vehicle, where display unit 117 is the visual information providing unit. This reads on "characterized in that there is provided visual information providing unit to visually display the various states of the vehicle, and the control unit causes a display mode relating to notification content of the aural information providing unit to be displayed by the visual information providing unit".

Regarding **Claim 3**, (depending from **claim 1**) Obradovich discloses in paragraph 45, disclose user interface 119 with the aid of a speaker provides

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synthesized voice notifications by way of questions. This reads on "characterized in that the control unit uses the aural information providing unit to send a notification by voice".

Regarding **Claim 11** (independent) Obradovich discloses fig.1 and ¶40-43 a processor 103, a control unit that controls display 117 a visual information providing unit and interface 119 an aural information providing unit. Further disclosed in figs.19, 20 and ¶113-117 is a processor 103 that monitors engine parameters and issues alerts.

However Obradovich does not disclose the visual information providing unit comprises a display part and an analog meter to display various states of a vehicle. Price discloses in fig. 6 and col. 7 line 55-col. 8 line 67 a visual information providing unit comprises a display part and an analog meter. **Price does not explicitly decompose the display of fig. 6 into its subcomponents / units for the display part and analog meter. Further applicants disclosure does not provide criticality or rationale for the limitation of the display part is composed of one unit and the analog meter is composed of another unit different from the display part.**

It would have obvious for one of ordinary skilled in the art at the time of the invention to incorporate the display of Price into Obradovich for displaying engine parameters as taught by Price. **Further it would have been obvious for one of ordinary skill in the art at the time of the invention to arrange the display part and analog meter in a suitable manner as detected by design requirements.**

Regarding **Claims 19/1 and 19/11** Obradovich discloses in paragraph 45 navigation unit 205 receiving and registering/storing destination settings information. The destination settings information is inherently customized; the navigation direction request mode being analogous to customized mode.

2. **Claims 4, 6, 7/6, 19/6** are rejected under 35 U.S.C. 103(a) as being unpatentable over Obradovich and **Price** in view of Oouchi US6356207.

Regarding **Claim 4** (depends from Claim 1); Obradovich discloses in paragraph 45 user interface 119 for providing voice notifications. Obradovich does not disclose other sound effects for user notification. Oouchi discloses in col. 5 lines 60-65 user notification via Voice and buzzer.

It would have been obvious for one of ordinary skill at the time of the invention to incorporate the combination of voice and buzzer notification in Oouchi into Obradovich for improved notification effectiveness.

Regarding **claim 6** (independent) Obradovich discloses fig.1 and ¶40-43 a processor 103, a control unit that controls display 117 a visual information providing unit and interface 119 an aural information providing unit. Further disclosed in figs.19, 20 and ¶113-117 is a processor 103 that monitors engine parameters and issues alerts.

However Obradovich does not disclose the visual information providing unit comprises a display part and an analog meter to display various states of a vehicle. Price discloses in fig. 6 and col. 7 line 55-col. 8 line 67 a visual information providing unit comprises a display part and an analog meter. **Price**

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**does not explicitly decompose the display of fig. 6 into its subcomponents / units for the display part and analog meter. Further applicants disclosure does not provide criticality or rationale for the limitation of the display part is composed of one unit and the analog meter is composed of another unit different from the display part.**

It would have obvious for one of ordinary skilled in the art at the time of the invention to incorporate the display of Price into Obradovich for displaying engine parameters as taught by Price. **Further it would have been obvious for one of ordinary skill in the art at the time of the invention to arrange the display part and analog meter in a suitable manner as detected by design requirements.**

Also Obradovich does not disclose the use of other sound effect. Oouchi discloses in col. 5 lines 60-65 user notification via Voice and buzzer.

It would have been obvious for one of ordinary skill at the time of the invention to incorporate the combination of voice and buzzer notification in Oouchi into Obradovich for improved notification effectiveness.

Regarding **Claim 7/6** Oouchi discloses in col. 5 lines 60-65 the use of just a buzzer and display to indicate various information.

Regarding **Claims 19/6** Obradovich discloses in paragraph 45 navigation unit 205 receiving and registering/storing destination settings information. The destination settings information is inherently customized; the navigation direction request mode being analogous to customized mode.

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3. **Claims 14/6, 15/6, 16/15/6, 17/15/6, 18/15/6** are rejected under 35 U.S.C. 103(a) as being unpatentable over Obradovich, **Price** and Oouchi in view of Lutter US2002/0196134.

Regarding **Claim 14/6**, Obradovich does disclose a signal to control other vehicle mounted audio devices. Lutter discloses in paragraphs 23 and 24 an audio manager 14 that can override outputs of vehicle audio devices.

It would have been obvious for one of ordinary skill at the time of the invention to incorporate the volume lowering of Lutter into Obradovich for effective warning notification as taught by Lutter.

Regarding **Claims 15/6**, Lutter discloses in fig. 3 and paragraph 23 an audio manager 14 which set up audio output in accordance with preset priority.

Regarding **claims 16/15/6**, Lutter discloses in paragraph 24, the override or canceling of lower priority audio outputs/notifications.

Regarding **claims 17/15/6**, Lutter discloses in paragraph 23 the non connection of audio input/notification of lower priority when one of higher priority is engaged, the inherently specified number in this case being one.

Regarding **Claim 18/15/6**, Lutter discloses in paragraph 24, collision warning signal (higher priority) momentarily overriding music signal (lower priority), and music reconnected in absence of collision, thus music was waitlisted.

4. **Claim 5** is rejected under 35 U.S.C. 103(a) as being unpatentable over Obradovich, **Price** and Oouchi in view of Ebersole et al I US2003/0210228.



Regarding **Claim 5**, Obradovich and Oouchi discloses all the limitation of **claim 5** as applied to **claim 4** except changing sound effect for various states. Ebersole discloses in paragraph 130 the use of various sound effects in a navigation to indicate various.

It would have been obvious to one of ordinary skill at the time of the invention to use the sound effects of Ebersole into Obradovich to indicate various states in guidance/warning and answerback for improved effectiveness in alerting user.

5. **Claim 8, 9/8, 19/8** are rejected under 35 U.S.C. 103(a) as being unpatentable over Obradovich, **Price** in view of Nakai US6618650

Regarding **claim 8** Obradovich discloses fig.1 and ¶40-43 a processor 103, a control unit that controls display 117 a visual information providing unit and interface 119 an aural information providing unit. Further disclosed in figs.19, 20 and ¶113-117 is a processor 103 that monitors engine parameters and issues alerts.

However Obradovich dose not discloses the visual information providing unit comprises a display part and an analog meter to display various states of a vehicle. Price discloses in fig. 6 and col. 7 line 55-col. 8 line 67 a visual information providing unit comprises a display part and an analog meter. **Price does not explicitly decompose the display of fig. 6 into its subcomponents / units for the display part and analog meter. Further applicants disclosure does not provide criticality or rationale for the limitation of the display part**

**is composed of one unit and the analog meter is composed of another unit different from the display part.**

It would have obvious for one of ordinary skilled in the art at the time of the invention to incorporate the display of Price into Obradovich for displaying engine parameters as taught by Price. **Further it would have been obvious for one of ordinary skill in the art at the time of the invention to arrange the display part and analog meter in a suitable manner as detected by design requirements.**

Further Obradovich does not disclose the aural notification of door opening. Nakai discloses in figs. 1 and 13 and col.10 lines 15-20 the aural indication of a door opening.

It would have been obvious for one of ordinary skill to incorporate the door opening aural indication of Nakai into Obradovich for the purpose enhanced car security as taught by Nakai.

Regarding **Claim 9/8**, neither Obradovich nor Nakai discloses use of music as a sound effect. Obradovich having disclosed aural indication of door opening the incorporation music is function of user preference.

Regarding **Claim 19/8**, Obradovich discloses in paragraph 45 navigation unit 205 receiving and registering/storing destination settings information. The destination settings information is inherently customized; the navigation direction request mode being analogous to customized mode.

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6. **Claims 14/8, 15/8, 16/15/8, 17/15/8, 18/15/8** are rejected under 35 U.S.C. 103(a) as being unpatentable over Obradovich, **Price** and Nakai in view of, Lutter U.S.2002/0196134.

Regarding **Claim 14/8**, Obradovich does disclose a signal to control other vehicle mounted audio devices. Lutter discloses in paragraphs 23 and 24 an audio manager 14 that can override outputs of vehicle audio devices.

It would have been obvious for one of ordinary skill at the time of the invention to incorporate the volume lowering of Lutter into Obradovich for effective warning notification as taught by Lutter.

Regarding **Claims 15/8**, Lutter discloses in fig. 3 and paragraph 23 an audio manager 14 which set up audio output in accordance with preset priority.

Regarding **claims 16/15/8**, Lutter discloses in paragraph 24, the override or canceling of lower priority audio outputs/notifications.

Regarding **claims 17/15/8**, Lutter discloses in paragraph 23 the non connection of audio input/notification of lower priority when one of higher priority is engaged, inherently the specified number in this case being one.

Regarding **Claim 18/15/8**, Lutter discloses in paragraph 24, collision warning signal (higher priority) momentarily overriding music signal (lower priority), and music reconnected in absence of collision, thus music was waitlisted.

7. **Claim 12/1, 12/11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Obradovich, **Price** in view of Kuwahara US 5394332. (

Regarding **Claim 12/1, 12/11** Obradovich does not explicitly disclose audible time indication. Kuwahara discloses in Fig. 2, 4 and col. 7 lines 16-20 in light of col. 2 lines 6-19 the provision of audible indication of estimated indication of approach time to destination.

It would have been obvious for one of ordinary skill at the time of the invention to incorporate the audible indication of Kuwahara into Adachi to give driver an estimation of time.

8. **Claims 13/12/1, 13/12/11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Obradovich, **Price** and Kuwahara in view of Mazzara US20040203951.

Regarding **Claim 13/12/1, 13/12/11** Kuwahara does not disclose explicitly the use of GPS to acquire time information. Mazzara discloses in fig 2 and paragraph 23 the use of GPS to acquire and display time information.

It would have been obvious for one of ordinary skill at the time of the invention to use the GPS of Mazzara in Kuwahara for purpose of providing local timing to vehicle.

9. **Claims 14/1, 14/11, 15/1, 15/11, 16/15/1, 16/15/11, 17/15/1, 17/15/11, 18/15/1, 18/15/11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Obradovich, **Price** in view of Lutter et al U.S. 2002/0196134.

Regarding **Claims 14/1, 14/11** Obradovich does disclose a signal to control other vehicle mounted audio devices. Lutter discloses in paragraphs 23 and 24 an audio manager 14 that can override outputs of vehicle audio devices.

It would have been obvious for one of ordinary skill at the time of the invention to incorporate the volume lowering of Lutter into Obradovich for effective warning notification as taught by Lutter.

Regarding **Claims 15/1, 15/11** Lutter discloses in fig. 3 and paragraph 23 an audio manager 14 which set up audio output in accordance with preset priority.

Regarding **claims 16/15/1 and 16/15/11** Lutter discloses in paragraph 24, the override or canceling of lower priority audio outputs/notification.

Regarding **claims 17/15/1 and 17/15/11**, Lutter discloses in paragraph 23 the non connection of audio input/notification of lower priority when one of higher priority is engaged; the specified number this case being one.

Regarding **Claims 18/15/1 and 18/15/11**, Lutter discloses in paragraph 24, collision warning signal (higher priority) momentarily overriding music signal (lower priority), and music reconnected in absence of collision, thus music was waitlisted.

**Claim 12/6** is rejected under 35 U.S.C. 103(a) as being unpatentable over Obradovich, Oouchi, **Price** in view of Shingo Kuwahara et al US Patent 5394332. (Hereafter referred to as Kuwahara).

Regarding **Claim 12/6** neither Obradovich nor Oouchi explicitly discloses audible time indication. Kuwahara discloses in Fig. 2, 4 and col. 7 lines 16-20 in

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light of col. 2 lines 6-19 the provision of audible indication of estimated indication of approach time to destination.

It would have been obvious fro ordinary skill at the time of the invention to incorporate the audible indication of Kuwahara into Adachi to give driver an estimation of time of arrival.

10. **Claim 13/12/6** is rejected under 35 U.S.C. 103(a) as being unpatentable over Obradovich, **Price**, Oouchi, Kuwahara in view of Mazzara US20040203951.

Regarding **Claims 13/12/6** Kuwahara does not disclose explicitly the use of GPS to acquire time information. Mazzara discloses in fig 2 and paragraph 22 the use of GPS to acquire and display time information.

It would have been obvious for one of ordinary skill at the time of the invention to use the GPS of Mazzara in Kuwahara for purpose of providing local timing to vehicle.

11. **Claim 12/8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Obradovich, **Price** and Nakai in view of Kuwahara et al US 5394332.

Regarding **Claims 12/8** neither Obradovich nor Nakai explicitly discloses audible time indication. Kuwahara discloses in Fig. 2, 4 and col. 7 lines 16-20 in light of col. 2 lines 6-19 the provision of audible indication of estimated indication of approach time to destination.

It would have been obvious fro ordinary skill at the time of the invention to incorporate the audible indication of Kuwahara into Adachi to give driver an estimation of time.

12. **Claim 13/12/8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Obradovich, **Price**, Nakai, Kuwahara in view of. **Mazzara** US 2004/0203951.

Regarding **Claim 13/12/8** Kuwahara does not disclose explicitly the use of GPS to acquire time information. **Mazzara** discloses in fig 2 and paragraph 22 the use of GPS to acquire and display time information.

It would have been obvious for one of ordinary skill at the time of the invention to use the GPS of **Mazzara** in Kuwahara for purpose of providing local timing to vehicle.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OJIAKO NWUGO whose telephone number is (571)272-9755. The examiner can normally be reached on M - F 7.30am - 5.00pm EST, Alternate Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin Lee can be reached on (571) 272 2963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OKN

/Davetta W. Goins/  
Primary Examiner, Art Unit 2612